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ARMENIA 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Armenia's constitution provides for a parliamentary republic with a unicameral legislature, the National Assembly (parliament). The prime minister, elected by parliament, heads the government; the president, also elected by parliament, largely performs a ceremonial role. Prime Minister Nikol Pashinyan's Civil Contract Party won 54 percent of the vote and an overwhelming majority of seats in parliament in snap elections held in June 2021. According to the October 2021 final assessment of the international election observation mission under the umbrella of the Organization for Security and Cooperation in Europe, voters were provided with a broad range of options, the elections were generally well managed, and contestants were able to campaign freely. The elections, however, were also characterized by intense polarization and marred by increasingly inflammatory rhetoric. The observation mission noted that "high levels of harsh, intolerant, inflammatory and discriminatory rhetoric in the period leading up to election day tainted the debate." Other shortcomings included incidents of pressure to attend campaign events, allegations of vote buying, blurring of the line between the ruling party and state, alleged misuse of administrative resources, inadequate campaign finance provisions, and the narrow standing allowed for submitting electoral complaints.

The national police force is responsible for internal security, while the National Security Service is responsible for national security, intelligence activities, and border control. As of December 30, the police chief reports to the minister of internal affairs, who in turn reports directly to the prime minister. The minister of internal affairs is appointed by the president upon the prime minister's recommendation. The chief of the National Security Service also reports directly to the prime minister. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

During the year, there were incidents of violence between Armenia and Azerbaijan that resulted in casualties and detentions. There were reports that Azerbaijani

forces engaged in unlawful killings, and cruel, inhuman, or degrading treatment of Armenian forces in September. Complaints submitted by Armenia and Azerbaijan to the European Court of Human Rights accusing each other of committing atrocities during the fighting in 2020 and 2016 awaited the court's ruling. Armenia submitted new complaints regarding the September fighting.

Significant human rights issues included credible reports of: torture by members of the security forces; harsh prison conditions; arbitrary arrest or detention; serious problems with judicial independence; arbitrary or unlawful interference with privacy; restrictions on freedom of expression; crimes involving violence or threats of violence targeting civil society figures and lesbian, gay, bisexual, transgender, queer, and intersex persons; and the worst forms of child labor.

The government took only limited steps to investigate and punish alleged abuses by former and current government officials and law enforcement authorities. There was no reported progress on government investigations of alleged abuses committed by Armenian armed forces or individuals during the 2020 hostilities.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings during the year.

Human rights nongovernmental organizations (NGOs) continued to express concerns regarding noncombat deaths in the army and the failure of law enforcement bodies to conduct credible investigations into those deaths. According to civil society organizations and victims' families, the practice of qualifying many noncombat deaths as suicides at the onset of investigations made it less likely that abuses would be uncovered and investigated. According to human rights lawyers, the biggest obstacle to investigation of military deaths was the destruction or nonpreservation of key evidence, both by the military command (in cases of internal investigations) and by the specific investigation body working on a case. According to human rights NGOs, the government's lack of

transparency in reporting on military deaths, whether classified as combat or noncombat, led to public distrust of official information in this sphere.

As of November 20, the government characterized at least 15 military deaths as noncombat related but rather due to murder, suicide, mishandling weapons, and health reasons. In an interview with Radio Free Europe/Radio Liberty on September 8, Ombudsperson Kristinne Grigoryan expressed deep concern regarding noncombat deaths in the military, noting that in addition to a lack of command accountability and the ineffectiveness of investigations, a primary reason for the problem was lack of discipline in the army.

On July 22, the Investigative Committee (IC) announced the conclusion of its investigation into the August 2021 deaths of three conscripts who were shot at a military post in the southeastern Syunik region. According to media reports, the three conscripts witnessed the senior officer at the post subject another conscript to sexual violence, and when discovered, the officer forced the alleged victim to kill the witnesses. Following the investigation, the IC dropped the charges of sexual violence against the officer and instead both the officer and alleged victim were indicted for the murders. The families of both defendants, their attorneys, and human rights watchdogs questioned the thoroughness and quality of the investigation, including possible tampering with evidence.

There were multiple reports during the year of sudden deaths of military service members. According to an expert from the Helsinki Citizens Assembly Vanadzor (HCAV) NGO, the deaths indicated individuals were enrolled in military service without a proper and comprehensive medical examination.

In the first half of the year, a working group established by the prime minister in 2020 to examine noncombat deaths and composed of three independent attorneys picked by the families and three experts from the Ministry of Justice and the Prime Minister's Office had examined five noncombat deaths and presented its findings to the Prosecutor's Office. By the end of the year, however, law enforcement and prosecutors had taken no further actions based on those findings, although investigations continued. In June, the incoming prosecutor general, who had served on the working group, committed to following through with the results of those examinations during her parliamentary nomination hearings. On December

21, the families of soldiers killed under noncombat conditions held a protest in front of the Prosecutor General's Office stating that she had taken no further action in those cases and that the perpetrators were not punished but promoted to different positions in the justice system.

There was no progress in the investigation into the 2018 death of Armen Aghajanyan, who was found hanged in the Nubarashen National Center for Mental Health where he had been transferred from Nubarashen Penitentiary for a psychological assessment. There was progress, however, in the investigation into his alleged torture. On March 9, a Yerevan appellate court found former prison warden Armen Hovhannisyan guilty of torturing Aghajanyan and sentenced him to more than seven and one-half years in prison. Another suspect in the case, Nubarashen penitentiary employee Artush Mirakyan, stood trial during the year for his involvement in the torture of Aghajanyan. According to a Helsinki Association for Human Rights (HAHR) lawyer who represented Aghajanyan's family, Mirakyan was appointed to serve in the Kotayk regional police while he stood trial. Following Aghajanyan's family's appeal, on December 14, the court of appeal ordered the prosecution to reopen the investigation into his death.

There was no progress in accountability for the post-2008 presidential election deaths. In April 2021, a trial court judge dropped charges against former President Robert Kocharyan and other high-ranking officials for their alleged involvement in sending the military to break up protests after the 2008 presidential election, resulting in the deaths of eight civilians and two police officers. The trial judge's decision was made in concert with the Constitutional Court's determination that the criminal code articles under which the officials were prosecuted were unconstitutional and therefore invalid. The government did not report progress on the investigations into others suspected of the 2008 postelection violence, including those charged with excessive use of force and murder.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

The International Committee of the Red Cross (ICRC) processed cases of persons missing in connection with the conflict with Azerbaijan and worked with the

government to develop a consolidated list of missing persons. According to the ICRC, 4,931 Armenians and Azerbaijanis remained unaccounted for as a result of the conflict, of whom a total of 761 Armenians were missing since the 1990s due to the conflict. According to the government, by the end of the year, 203 persons (including 20 civilians) were considered missing after the fall 2020 fighting and three more military service members were considered missing after the September 13-14 hostilities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibit such practices. Nevertheless, there were reports that members of the security forces continued to torture or otherwise abuse individuals in their custody. According to human rights lawyers, while the criminal code defines and criminalizes torture, it does not criminalize other cruel, inhuman, or degrading treatment. The first conviction in a torture case since the 2015 adoption of a new definition of torture in the criminal code occurred in December 2021.

With the disbanding of the Special Investigative Service (SIS) in 2021, the investigation of torture cases was initially redistributed among the National Security Service (NSS), the IC, and the newly created Anticorruption Committee. With the enforcement of a new criminal procedural code on July 1, the responsibility to investigate criminal cases on torture was transferred to the Investigative Committee, but the function of preliminary investigation into crimes (including torture) committed by Investigative Committee investigators was given to the NSS. According to human rights lawyers, in the past torture cases were investigated by SIS investigators. As those investigators had moved to the Anticorruption Committee, the IC investigators had no experience with torture cases and were unprepared to adequately respond to reports of torture.

Human rights activists asserted that lack of accountability for old and new instances of law enforcement abuse continued to contribute to the persistence of the problem. Observers contended that the failure of authorities to prosecute past cases was linked to the absence of change in the composition of the justice system since the 2018 political transition, other than at the top leadership level. Human

rights lawyers also noted multiple cases where those responsible for abuse were later promoted, including after the 2018 revolution. For example, police Major Gerasim Mardanyan, charged with torture in 2017 for his alleged abuse of Zhora Simonyan while in police custody, was appointed deputy chief of Tavush police in 2021 and continued to serve in the police force while the case against him was in progress. According to the government, the majority of criminal cases of police use of disproportionate force against protesters during the largely peaceful protests of 2018 were dropped due to the failure of law enforcement bodies to identify the perpetrators or the application of the 2018 amnesty.

Reports of torture and cruel, inhuman, or degrading treatment continued. For example, on August 28, the HAHR published a video account from an individual known as "H.V." who was abused by the police after he showed, during a stop and search, marijuana he said he carried for personal use. According to the victim, the incident occurred on June 27 in Yerevan when he was traveling back to Yerevan from Ararat Region. Police had stopped his taxi and asked him whether he was carrying any weapons or drugs, when H.V. admitted to carrying some marijuana. The police officers then allegedly dragged him behind the car, threw him on the ground, and insulted and beat him. Photographs of the victim taken after the attack showed multiple injuries and bruises on his forehead, shoulders, back, and arms. Despite assurances by H.V. that he would cooperate, he was handcuffed and dragged by the hair into the car and taken to the Shengavit police station in Yerevan. At the police station, he asked for the reason for such treatment and demanded to see an attorney. He was told he could see an attorney when he left the police station. Reportedly the deputy head of the Shengavit police called him a "dealer" and threatened to break his legs. An HAHR attorney filed a complaint with the Investigative Committee on August 1, which was under investigation at year's end.

There was no progress in bringing to justice the Vanadzor police officers who abused Samvel Hasanyan and two other suspects upon arrest on suspicion of burglarizing an apartment in 2021.

During the year, the trial of three police officers from Yerevan's Nor Nork District on charges of torture for the 2020 abuse of weight-lifting champion Armen Ghazaryan and another citizen continued.

There were continued reports of abuse in police stations, which, unlike prisons and police detention facilities, were not subject to public monitoring. Criminal justice bodies continued to rely on confessions and information obtained during questioning to secure convictions. According to human rights lawyers, procedural safeguards against mistreatment during police questioning, such as inadmissibility of evidence obtained through force or procedural violations, were insufficient, as was the video surveillance system installed in the police stations. The HAHR reported repeated refusals by police officers to submit video recordings of relevance for torture cases; police made various claims to the HAHR as to why they could not produce the footage, including claims of electricity disruptions, that the recordings were only transmitted live and were not saved, and that video recordings were in more limited locations around police stations than previously indicated.

In its 2021 report, the Council of Europe's Committee for the Prevention of Torture (CPT) noted problems regarding voluntary consent to hospitalization by a number of legally competent patients who may not have signed consent forms voluntarily. At the Armash psychiatric health center, the CPT was told that since it "would be a hassle" to apply to a court for authorization for involuntary hospitalization, persons who brought in a family member for treatment were told they had to coerce that person to sign a voluntary consent form to receive treatment. Once a patient signs the form, there is no way to apply to a court to reverse the involuntary hospitalization. The CPT also reported that patients subsequently were not allowed to go outside to exercise or depart the hospital.

Reports continued of degrading treatment in the army; its scale was unknown. For example, in September, the NGO Peace Dialogue published its research on the human rights situation in the army based on in-depth interviews with 112 former conscripts who completed their service within the past five years. According to the report, a majority of military service members interviewed reported quarreling or fighting with their peers; such instances were often resolved through interpersonal relationships reminiscent of criminal subculture, rather than in accordance with military statute. According to those interviewed, the most unacceptable behavior among peers was cooperation with law enforcement bodies (reporting a crime), Peace Dialogue found. The majority of service members interviewed were

subjected to or witnessed mistreatment (torture, inhuman or degrading treatment), including beatings, insults, and ridicule. The rights of some vulnerable service members, including those who identified as lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+), were grossly violated both by commanding staff and fellow service members and included inhuman and degrading treatment and labor exploitation. The vast majority of military personnel did not seek psychological support. According to the research, there were reports of service members in need of medical attention who did not receive it. A few service members also said that they had been forced by the Military Police to confess or testify against peers in disciplinary cases.

Prison and Detention Center Conditions

Several reports raised human rights concerns related to prison and detention conditions, including physical conditions, access to health care and psychological support, treatment of LGBTQI+ persons, and predation by hierarchical criminal/organized crime structures. The government closed two penitentiaries on January 1. Parliament adopted a new penitentiary code on June 15, which came into force on July 1 together with a new criminal code and criminal procedural code adopted the previous year, in an effort to address major penitentiary problems in a systemic way.

Abusive Physical Conditions: There were reports of degrading conditions at prison facilities, despite government efforts to implement renovations. Human rights observers and the Prison Monitoring Group (PMG), a coalition of local NGOs, continued to express concern regarding the physical conditions of Armavir penitentiary, which did not have an air ventilation or cooling system, which allowed recorded cell temperatures as high as 113 degrees Fahrenheit in the summer.

On March 17, the Office of the Ombudsperson, following a monitoring visit to the Abovyan penitentiary for women and minors, noted the dilapidated physical condition of the penitentiary, including a high level of humidity, no separate facilities, such as bathrooms, for pregnant women and convicts with children, no play areas for children under the age of three who lived with their mothers, as well as inadequate medication and food for children. The ombudsperson's report also

noted juveniles in solitary confinement lacked adequate human contact. There were also problems ensuring the rights of foreign citizens due to a lack of translation services. In a separate report, the PMG described the condition of the Abovyan penitentiary building that housed separated incarceration cells (as opposed to dorm style) as inhuman and emphasized that living in such conditions for prolonged periods was tantamount to torture.

On March 9, following a monitoring visit, the PMG announced that convicts on hunger strike were kept in inhuman and degrading conditions in Nubarashen penitentiary due to the cells' dilapidated and unsanitary conditions.

According to official statistics, prison deaths totaled 17 for the first 11 months of the year. One detainee died from stroke during a court session. The government and NGOs did not attribute any of the deaths to physical conditions. The PMG reported a lack of accountability from the Investigative Committee in charge of investigating prison deaths and a lack of information on the outcomes of its investigations.

The PMG reported an increase in the number of suicides, cases of self-harm, and hunger strikes due to continued lack of sufficient psychological services in prisons, noting that the mental health of inmates deteriorated following COVID-19 restrictions in previous years. The PMG also reported that most hunger strikes were connected to demands for better medical care. The PMG reported that Armavir prison lacked basic diagnostic equipment for chronic diseases and access to doctors was limited.

According to observers, there was continued need for better psychological services and staff in prisons, despite government programs to increase pay and reallocate psychologists from closed penitentiaries.

The government reiterated its zero-tolerance policy towards corruption in prisons and expressed its determination to root out the organized hierarchical criminal structure dominating prison life, in which select inmates (called "watchers") at the top of the informal prison hierarchy controlled the inmate population. According to the government, during the year, authorities investigated 11 criminal cases connected to the prison criminal subculture involving 18 persons, of which one

case involving eight persons was sent to court with indictments and the rest were under investigation. Two of the cases under investigation related to monetary transfers between persons tied to the criminal hierarchy in and out of prisons. In addition, authorities indicted nine persons in three additional cases launched the previous year. According to observers, it was not clear whether the government's efforts had resulted in changes to the hierarchical system or had simply driven the problem underground. While observers noted some progress fighting systemic corruption and said that prison administrations did not participate in corruption schemes, experts assessed that corruption was likely to continue as long as the criminal subculture continued to exist.

According to the PMG and other human rights organizations, LGBTQI+ individuals continued to experience discrimination and abuse. The PMG noted that homosexual men; those assumed to be homosexual; those associating with homosexual men; and inmates convicted of crimes such as rape, as well as those who refused to live by "unwritten prison rules," were segregated from other inmates and forced to perform humiliating tasks, such as cleaning toilets, picking up trash for other prisoners, and providing sexual services. Food and cutlery for these inmates were kept separate, and they had a separate laundry machine and a separate solitary confinement cell.

In March 2021, the NGO Center for Legal Initiatives issued a report, *Issues of LGBT Prisoners of Armenia*. The report specified that no state programs, strategies, or reports (including the *2020-22 National Strategy on the Protection of Human Rights* and the *2019-23 Penitentiary and Probation Strategy*) mentioned the human rights of imprisoned LGBTQI+ persons or the need to improve their detention conditions. According to the Ministry of Justice, sexual orientation was included in a list of issues to be addressed during an initial inmate needs assessment upon admission.

The PMG reported a case of a transgender woman who was kept in isolation in the medical ward for her safety during the year. According to the PMG, prison administrators said they did not understand where a transgender woman should serve her sentence. The transgender woman reported problems with access to health care, particularly dental care, and suffered from isolation and lack of human contact.

During the year, observers reported prosecutors presented obstacles to implementing improved early release processes and transfers to less strict regimes of incarceration. For example, on April 15, according to human rights reporter Zhanna Alexanyan, the Prosecutor General's Office reversed two decisions by the Convicts' Placement Commission, which operates under the Penitentiary Service and determines the type of penitentiary institution where convicts will serve their sentences. In the first instance, two inmates serving life sentences were returned to a closed-prison regime (in which they were confined within the prison at all times) after six months in a semiopen regime with greater freedom to move around within the secure perimeter during the day. In the second instance, other inmates were returned to a closed regime after one month in a semiopen regime. According to the report, in both cases the prosecution did not provide valid justifications for the transfers. The new penitentiary code limits prosecutors' ability to appeal placement commission decisions.

According to official data, approximately 1 percent of the prison population refused food.

Administration: Authorities did not conduct prompt investigations into credible allegations of mistreatment.

On July 6, the ombudsperson issued a statement noting the continued problematic practices of not registering the injuries of prisoners during routine medical examinations in penitentiaries, not providing proper medical examination of injuries sustained in the penitentiary, and not sending records of alleged mistreatment to the relevant authorities. According to the Ministry of Justice, instructions were given to avoid delays, but no one was held responsible.

Independent Monitoring: The government permitted domestic and international human rights groups, including the CPT, to monitor prison and detention center conditions, and they did so regularly. Authorities allowed monitors to speak privately with prisoners and permitted the ICRC to visit prisons and pretrial detention centers. On May 11, the Ministry of Justice adopted a new decree addressing the PMG's concerns on restrictions imposed on the group's activities in 2020. The decree expanded the list of those who could serve as a PMG member and reduced the response time of the government to PMG observations.

Improvements: During the year, improvements included the government's completion of the renovation of the second floor of the Nubarashen prison.

According to the PMG, many of these renovations did not result in major improvements for most inmates. Prison monitors, however, no longer considered prison conditions to be life threatening, noting that a dramatic decrease in incarceration rates over the last few years meant the worst cells were no longer in use.

The government completed adaptations at Armavir, Vanadzor, and Artik penitentiaries to make them fully accessible for persons with mobility issues. The government procured braille books and listening devices for penitentiaries. The government also improved access to translation services by procuring 24-hour translation and interpretation services, including in sign language and up to 32 languages, as well as online when necessary.

In the first half of the year, 404 cameras were installed in Armavir penitentiary, the largest of the country's 10 prisons, with EU funding. According to the Ministry of Justice, the improved monitoring aimed to reduce murders, suicides, gambling, violence, corruption, and other illegal activities in prison. On August 1, the Ministry of Justice provided toolkits for screening and risk assessment of suicide and self-harm immediately after intake in all prisons, in line with a newly adopted penitentiary code.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. There were several reports of arbitrary or selective arrest during the year.

Arrest Procedures and Treatment of Detainees

According to the criminal procedural code that went into force July 1, an investigative body must present individuals with a decision on their arrest or release and a list of their rights and duties within six hours of the moment that person is deprived of their freedom. The arrest may not last longer than 72 hours. Within 60 hours, the investigative body must file charges and obtain a detention

warrant from a judge. If the arrested person is not detained by court decision within 72 hours from the moment of arrest, he or she is subject to immediate release. When considering the issue of detention, the court must also check the legality of the arrest. The law requires police to inform detainees of the reasons for their arrest as well as their rights to remain silent, to have legal representation, and to inform a person of their choosing regarding their location. Bail was a legal option.

According to human rights lawyers, there continued to be significant use of pretrial detention with suspects bearing the burden of proof to demonstrate they did not present a flight risk or would not hamper an investigation. Furthermore, lawyers said court detention decisions remained unpredictable, with different detention conditions placed on defendants in similar circumstances. According to some legal experts, however, the new criminal procedural code introduced stricter requirements for prosecutors to request and courts to approve pretrial detentions. The new code also introduced new prevention measures such as house arrest and administrative oversight that could potentially reduce the use of pretrial detention.

While there was a bail system, only 15 percent of bail requests were granted in 2021, according to official statistics. In contrast, courts granted 81 percent of government detention requests during the same year, according to official statistics.

Defendants were entitled to representation by an attorney from the moment of arrest, and the law provides for a public defender if the accused is indigent. According to human rights observers, more detainees were aware of their right to legal representation than in the past, especially in the capital. Observers indicated police at times avoided granting individuals their due process rights by summoning and holding, rather than formally arresting, them under the pretext that they were material witnesses rather than suspects. Police were thereby able to question individuals without giving them the benefit of a defense attorney. This practice was particularly evident outside the capital.

In its May 2021 report, the CPT suggested that the practice of “informal talks” (i.e., persons being “invited,” usually by telephone, to come to police, prior to being officially declared a suspect and detained), criticized by the CPT many times

in the past, was not fully eliminated, especially outside the capital.

Arbitrary Arrest: There were multiple reports police arbitrarily arrested protesters during protests throughout the year (see section 2.b.).

For example, on September 16, police special forces forcefully detained three activists who were protesting against Russia and the Collective Security Treaty Organization in front of the Russian embassy in Yerevan. According to two of the activists – Arman Gharibyan, cochairman of the Human Right Power NGO, and Mher Karagyozyan, chairman of the Public Oversight NGO – police used violence during the detention, later in the car, and at the police precinct where they were taken.

On May 14, the Investigative Committee announced the detention of Avetik Chalabyan, an opposition figure, on charges of bribing university students to participate in daily antigovernment demonstrations in Yerevan. The charges were based on leaked audio of short fragments of his conversation with the head of the student council of the Armenian National Agrarian University that appeared on a progovernment website; no full recording of the conversation was released. His supporters claimed the fragments did not accurately reflect the full scope of the conversation. On July 12, Chalabyan was indicted. On July 27, Chalabyan was released when his pretrial detention period expired. On August 5, however, trial court judge Mnatsakan Martirosyan (see section 1.e.) ordered an extension of his pretrial detention by another three months, despite reports that Chalabyan did not appear to pose a flight risk. On August 31, the court of appeal allowed for Chalabyan's release on bail in the amount of 15 million drams ($36,500).

Reports of arbitrary arrests that appeared election-related continued. Law enforcement officials arrested two municipal employees affiliated with the opposition coalition, Strong Community, in the Tavush region, on election day, September 25. These arrests followed the detention of four opposition-linked mayors in the Syunik region during and following the June 2021 parliamentary elections (see section 3, Political Parties and Political Participation).

Pretrial Detention: Lengthy pretrial detention remained a problem. Some observers saw investigators' use of excessive pretrial detention as a means of

inducing defendants to confess or to reveal self-incriminating evidence. The new criminal procedural code introduced strict limitations to the length of pretrial detention and the length of investigations. According to the code, the maximum term of detention in pretrial proceedings is four months for crimes of minor gravity, six months for crimes of medium gravity, 10 months for grave crimes, and 12 months for particularly grave crimes. Once prosecutors forward their cases to court for trial, the law does not provide time limits on further detention but indicates only that a trial must be of "reasonable length." Judges may apply detention or may prolong detention at each hearing for no longer than three months.

According to the new criminal procedural code, the maximum time a person may spend in detention may not exceed the term of imprisonment envisaged in the article under which they are indicted. Prosecutors regularly requested and received trial postponements from judges. Defense attorneys often requested postponements strategically to achieve dismissal of the case against their clients (defendants) due the expiration of the statute of limitations.

Observers continued to highlight the lack of mechanisms to ensure court system accountability for compliance with time standards or to obtain redress if a trial did not meet the reasonable timeframe requirement.

In February 2021, the NGO Hetq Investigative Journalists examined 10 civil, 10 administrative, and 10 criminal court cases, all of which had been in progress for at least five years. Hetq's investigation revealed cases that had been in progress for up to 18 years, with no final court verdict. Experts who analyzed the cases found that the primary factors leading to delays were linked to arbitrary decisions by the judge, such as referral of the case to another judge, training or leave of absence of a judge, court hearings scheduled with large time gaps (i.e., from two to six months) or rescheduled due to technical problems, lengthy expertise examinations, and legal gaps. In many cases, criminal trials lasted such a long time that proceedings were terminated due to the expiration of the statute of limitations. When defendants agreed to suspend their cases on these grounds, they could not avail themselves of the opportunity to apply for compensation, as they might have done had they been acquitted, while victims did not receive redress. Hetq reviewed one case in which the defendant had spent 11.5 years in pretrial detention

while his case went through an appeals and reexamination process.

e. Denial of Fair Public Trial

Although the law provides for an independent judiciary, the judiciary was not viewed as independent or impartial due to its history of corruption and political influence, resistance to reform, and recent high-profile scandals. There were unconfirmed reports of attempts by the government to influence judges. The high case load, lack of public trust, and allegations of government pressure discouraged professionals from applying to judgeships.

During the year, NGOs continued to report on judges who had acquired significant amounts of property and assets that were disproportionate to their salaries and continued to note that the absence of vetting of all standing judges based on objective criteria – particularly of those in the Supreme Judicial Council and Constitutional Court – undermined the integrity of the judiciary. They further noted that the annual asset declaration checks of sitting judges were limited in scope and did not help to remove corrupt judges.

On June 20, the Chairman of the Supreme Judicial Council (SJC), Ruben Vardazaryan, who had been suspended on charges of obstruction of justice, leaked a partial recording of his discussion with the progovernment acting chairman of the SJC Gagik Jhangiryan. In the secretly recorded conversation, which Vardazaryan said occurred in February 2021, Jhangiryan urged Vardazaryan to resign in exchange for not facing criminal charges. Vardazaryan was suspended and charged with obstruction of justice that April. Jhangiryan subsequently resigned, purportedly on health grounds. The case further undermined public trust in the judiciary.

Parliament appointed Karen Andreasyan to the SJC on October 6; the SJC appointed him as head on October 7. Until his appointment, he had been the justice minister and a ruling party member; citing these factors, civil society expressed concern regarding the impact of this appointment on the institution's independence.

The SJC voted on November 21 to support Mnatsakan Martirosyan's candidacy to serve as a judge on the newly established Specialized Anti-Corruption Court,

despite the reportedly negative results of his integrity check conducted by the Corruption Prevention Commission. Many independent experts publicly criticized the SJC decision, citing scores of cases in which the judge appeared to have made judicial decisions based on a political agenda. A joint NGO statement termed the SJC's vote "highly unacceptable and condemnable." On December 30, the SJC removed Martirosyan from the list of candidates for the Anti-Corruption Court, purportedly based on Martirosyan's withdrawal of his application. The SJC decision occurred a month after respected SJC member Grigor Bekmezyan relinquished his membership, citing a lack of institutional independence.

Human rights lawyers noted that some judges faced internal pressure from superiors, including the SJC, on some judicial decisions. Such pressure reportedly included suggesting their reputations or careers would be impacted and threatening selective punishment of minor misdemeanors. Some judges used the severely overloaded dockets to pressure rival interest groups by taking medical leave and leaving their colleagues an insurmountable caseload. Human rights lawyers said court decisions on cases involving similar circumstances had become unpredictable and in some high-profile corruption cases decisions appeared to be politically motivated. They asserted that judicial reforms primarily offered ad hoc and temporary fixes rather than systemic reform.

Human rights lawyers also highlighted the role of faulty investigations and prosecutions on the side of law enforcement. According to observers, in many cases in which judicial decisions appeared politically motivated, faulty evidentiary submissions by the prosecutor's office had precluded judges from making different decisions. Observers also noted that while bribery of judges was no longer a widespread problem, defense attorneys extorted money from clients by claiming it was for bribing a judge, thus further undermining trust in the system.

On July 6, parliament adopted changes to the judicial code allowing for disciplinary proceedings against judges who had ruled on cases in which the European Court of Human Rights (ECHR) subsequently ruled human rights violations occurred at some point during the process. Civil society organizations criticized the changes, pointing out such proceedings could be implemented selectively since multiple courts, investigators, and prosecutors could be held responsible for ECHR cases.

NGOs reported judges routinely ignored defendants' claims that their testimony was coerced through physical abuse. Human rights observers continued to report concerns regarding the courts' reliance on evidence that defendants claimed was obtained under duress, especially when such evidence was the basis for a conviction.

Trial Procedures

The constitution and laws provide for the right to a fair and public trial, but the judiciary did not enforce this right.

The law provides for presumption of innocence, but suspects usually did not enjoy this right. Public defenders were overburdened, and there was a lack of public defenders specialized in specific areas, such as trafficking in persons and domestic violence. A shortage of public defenders outside Yerevan sometimes led to denial of the right of defendants to an attorney of their choosing.

The law provides that defendants may confront witnesses, present evidence, and examine the government's case in advance of a trial, but defendants and their attorneys had very little ability to challenge government witnesses or police, while courts tended to accept prosecution materials routinely. Judges were reluctant to challenge police experts, hampering a defendant's ability to mount a credible defense. Judges' control over witness lists and over the determination of the relevance of potential witnesses in criminal cases also impeded the defense. Defense attorneys complained that judges at times did not allow them to request the attendance at trial of defense witnesses. According to lawyers and domestic and international human rights observers, including the Council of Europe's human rights commissioner, the prosecution retained a dominant position in the criminal justice system. Human rights organizations reported there were insufficient provisions for prosecutorial impartiality and accountability and no objective criteria for the nomination and selection of candidates for general prosecutor.

One of the judiciary's most significant problems was the severe overload of judicial dockets at all levels due to a lack of judges. Other major factors contributing to the judicial caseload were a high level of appeals due to a lack of trust in the judiciary and prosecutors' tactical approach to appealing acquittals and

lower sentences.

Political Prisoners and Detainees

There were no credible reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Although citizens had access to courts to file lawsuits seeking damages for alleged human rights violations, many chose not to proceed given their mistrust of the judiciary and expected length of the judicial proceedings. Citizens also had the option of challenging in the Constitutional Court the constitutionality of laws and legal acts that violated their fundamental rights and freedoms. According to some lawyers, lower courts did not adhere to precedents set by the Court of Cassation, the ECHR, and the Constitutional Court. These lawyers reported that, as a result, lower courts continued to carry out the same legal mistakes.

According to one expert cited in Hetq's February 2021 report, *Delayed justice is justice denied*, going to court could not be considered effective when, due to the length of the process, persons suffered more damage from going to court, even when they won the case, than they incurred in the alleged violation.

Citizens who exhaust domestic legal remedies may appeal cases involving alleged government violations of the European Convention on Human Rights to the ECHR. A June 7 study by the Law Development and Protection Foundation analyzing the implementation of ECHR judgments revealed problems with legislation and law enforcement practices that led to the recurrence of similar violations and hindered the proper implementation of ECHR judgments by the government.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits unauthorized searches and provides for the rights to privacy and confidentiality of communications. Law enforcement organizations did not always abide by these requirements.

Authorities may not legally tap telephones, intercept correspondence, or conduct

searches without obtaining the permission of a judge based on compelling evidence of criminal activity. The constitution, however, stipulates exceptions when confidentiality of communication may be restricted without a court order when necessary to protect state security and conditioned by the special status of those in communication. Although law enforcement bodies generally adhered to legal procedures, observers claimed judges authorized wiretaps and other surveillance requests from the NSS and police without the compelling evidence required by law.

g. Conflict-related Abuses

Sporadic incidents of fighting in the decades-long conflict between Armenia and Azerbaijan continued, resulting in civilian casualties. After a November 2020 ceasefire, Azerbaijan and Armenia saw some of their most significant fighting in nearly two years on September 13-14 along the international border between the two countries and inside Armenia.

Complaints submitted by Armenia and Azerbaijan to the ECHR accusing each other of committing atrocities during fighting in 2020 and 2016 awaited the court's ruling, as did Armenia's complaints following Azerbaijan's September attack.

Killings: Following intensive fighting between Azerbaijani and Armenian forces in mid-September, there were credible reports of unlawful killings involving summary executions of Armenian soldiers in Azerbaijani custody.

On October 2, Azerbaijani social media accounts circulated a video that Human Rights Watch and the investigative journalism group Bellingcat reported appeared to depict the unlawful summary execution of at least seven Armenian soldiers by troops in Azerbaijani military uniform. Human Rights Watch (HRW) and Bellingcat announced respectively on October 14 and October 20 they had verified the video as having been made in mid-September. HRW described the execution as a "war crime for which there needs to be accountability."

Another video circulated by social media users beginning on October 11 appeared to depict three Armenian soldiers in the custody of Azerbaijani soldiers on the premises of a military post. The bodies of all three reportedly were later returned to the Armenian government. The Armenian armed forces and Armenian human

rights lawyers separately identified the three soldiers.

A report released by Amnesty International on May 17, *"Life in a Box": Older People's Experiences of Displacement and Prospects for Return in Azerbaijan*, described antipersonnel land mines laid by Armenian forces on a massive scale during the 1990s. According to the Azerbaijani government, since the end of the 2020 fighting, 46 civilians had died and 234 had been injured by land mines in Azerbaijani territories previously controlled by Armenia. (See the *Country Reports on Human Rights Practices* for Azerbaijan).

Physical Abuse, Punishment, and Torture: Videos were released shortly after the end of the intensive fighting in September that appeared to depict the bodies of three Armenian women service members who were victims of degrading and inhuman treatment. One of these videos depicted a nude and mutilated woman's body placed above other corpses. While kicking her body, the Azerbaijani-speaking camera operator repeatedly directed abusive language towards the victim. A message had been written on her chest and stomach that read "YAŞMA" (a code name for Azerbaijani special forces).

According to the government, authorities initiated six criminal cases in 2020 to investigate actions of Armenian service members during the fall 2020 intensive fighting on charges of "serious violations of international humanitarian law during armed conflicts." Of the six cases, four involved alleged murder, torture, and inhuman treatment, one involved alleged murder and torture, and one involved alleged murder. The government combined all six cases into one criminal proceeding in June 2021. The investigation remained underway at year's end.

Other Conflict-related Abuse: In connection with the September 13-14 fighting, there were reports that Azerbaijani forces struck emergency medical vehicles and hit other items required by the civilian population. According to the Ombudsperson's Office, on September 13, Azerbaijani forces "targeted two ambulance vehicles with distinctive emblems." One of the drivers was killed, according to the ombudsperson. The ombudsperson also reported fire from Azerbaijani forces hit vital civilian infrastructure, including high-voltage power lines in the Syunik region affecting 12 local communities and three hotels and a sanatorium in Jermuk, a tourist resort town in the Vayots Dzor region.

According to the Amnesty International report *"Life in a Box,"* Armenian forces committed and oversaw the widespread destruction or seizure of civilian property and infrastructure, including cultural property, in the regions of Azerbaijan they occupied in the 1990s.

According to the same report, during the 1990s, "the Armenian forces' destruction of civilian objects and seizure of civilian property not required by military imperative... are violations of international humanitarian law and continue to undermine Azerbaijan's efforts to resettle displaced populations in conflict-affected regions."

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media. The government generally respected this right, albeit with some restrictions. The government did not seek the inclusion of "grave insult" in the criminal code that entered into force July 1, essentially enabling its decriminalization. Lawsuits launched before July 1 on charges of grave insult continued during the year. Other restrictions included legislation amended on May 25 allowing state bodies to withdraw accreditation of journalists and the continued prosecution of a Yezidi human rights activist. There were several reports of police violence against journalists in connection with their coverage of opposition rallies in the spring.

Freedom of Expression: Individuals were generally free to criticize the government without fear of reprisal. The trial of Yezidi human rights activist Sashik Sultanyan on charges of "incitement of national, racial, or religious enmity" for expressing his view that the government was not doing enough to protect the Yezidi minority from discrimination continued during the year until he left the country (see section 5).

Violence and Harassment: The local NGO Committee to Protect Freedom of Expression reported 14 cases of violence against 16 journalists during the year,

most of which were at the hands of law enforcement and took place when the journalists were covering opposition protests. On August 16, the Investigative Committee suspended the criminal case regarding a February 2021 attack on Radio Free Europe/Radio Liberty reporter Artak Ghulyan and videographer Karen Chilingaryan, claiming the whereabouts of the perpetrators were unknown.

During May 2 opposition civil disobedience and protest activities, the government hindered the professional activities of journalists in multiple instances.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: On May 25, progovernment lawmakers adopted legislation allowing state bodies to strip journalists of their credentials if they were deemed to have violated the "working rules" of relevant bodies twice in one year. Media strongly criticized the legislation. Critics noted that, with this decision, authorities could ban specific reporters from covering parliament sessions, cabinet meetings, and other major events.

Media outlets were politically polarized. Private individuals or groups, most of whom were reportedly tied to former authorities or parliamentary opposition parties, owned most broadcast media and newspapers, which tended to reflect the political leanings and financial interests of their proprietors. Current and former government authorities and opposition parties continued to acquire additional media outlets throughout the year, exacerbating polarization. Few independent media outlets remained that did not depend on financial support from politically affiliated donors; those that did relied on international donor support due to their limited revenues from advertising and subscription fees.

Broadcast media, particularly public television, remained one of the primary sources of news and information for the majority of the population. According to some media watchdogs, public television continued to present news and political debates from a progovernment standpoint, although it remained accessible to opposition voices.

Social media users freely expressed opinions concerning the government and former authorities on various social media platforms, even though the criminalization of "grave insult," which was in effect from July 2021 to June 2022,

reportedly had a chilling effect on some users.

Libel/Slander Laws: In March 2021, parliament amended the civil code to dramatically raise the maximum fines for insult and defamation offenses. Freedom House and local media watchdogs criticized the bill, saying it would "stifle media freedom and freedom of expression." The amendments came into force in October 2021.

On June 10, then Minister of Justice Karen Andreasyan announced the government would not seek to include the criminalization of grave insults in the new criminal code that would take effect on July 1 after the government determined that even a "legitimate restriction" on freedom of expression was counter to the country's democratization agenda. The decision led in essence to the decriminalization of such insults. Criminal cases launched before July 1, however, continued during the year. From January 1 to June 30, the IC investigated 1,042 criminal cases related to "grave insults"; 126 criminal cases against 128 persons were sent to the court with indictments.

Nongovernmental Impact: According to *Emergency 2020: Report on Human Rights Violations by the Police*, published by HCAV in April 2021, several new antidemocratic initiatives and movements that arose together with increased civil society activity after the 2018 revolution had a chilling effect on civil society. While they positioned themselves as civil society institutes, these organizations' agendas focused on combating the promotion of human rights and democratic values and provoking hatred through violence and physical threats. Law enforcement bodies opened several investigations into the groups and some of their activities but did not prosecute any of their members.

On several occasions during the year, opposition protesters attacked public figures who held political views that were different from the opposition. For example, on April 28, protesters attacked the director of Antares Publishing House, Armen Martirosyan, who was known for a propeace agenda, to which the opposition was averse. Martirosyan happened to be in the vicinity where the protest was held. The incident occurred in the presence of police. According to Martirosyan, when the crowd saw him, they started cursing and throwing bottles at him. After Martirosyan asked police officers for protection, they ordered Martirosyan to

quickly retreat, which was when the crowd attacked him from behind. The IC indicted two persons, Ara Khachatryan and Armen Aslanyan, on charges of hooliganism in connection with the attack. On May 20, a group of public figures and citizens issued an open letter in response to the attacks stating that certain groups in the country had been carrying out continuous and active violent propaganda in recent years, including hate speech, degrading language, and language inciting violence. According to the letter, these groups' violent rhetoric was accompanied by attacks against individuals who did not share their opinion or participate in their actions. The signatories urged law enforcement bodies to protect democracy from violence and hatred and to not let hate speech go unpunished.

Actions to Expand Freedom of Expression, Including for Members of the Media: In June, the National Assembly adopted legislative changes to increase the penalties against state officials for violations of the legal right to public information.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. Information security specialists reported, however, that on May 16, attempts were made to block the work of Telegram and Signal social networks; there were no subsequent reports attributing the attempts to any specific group or actor.

Restrictions on Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events, and the government expressly supported academic freedom.

There were media reports of elections and appointments of new school principals who were affiliated with the government, as well as reports of contract issues and reduced workloads for university faculty who criticized the government. Despite the government's initial move to depoliticize state universities, cabinet members continued to be appointed to the boards of state-funded universities, ostensibly to prevent former government officials and opposition leaders from exercising

political influence in universities.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association. The government generally respected these rights, but there were some restrictions.

Freedom of Peaceful Assembly

The constitution and law provide for this right. While the government generally respected freedom of assembly, there were some restrictions, particularly disproportionate use of force by police against protesters, police brutality against protesters and journalists, and arbitrary detention of demonstrators.

The opposition held numerous protests during the year calling for the resignation or overthrow of the prime minister. Beginning on May 1, the opposition gathered in downtown Yerevan at a busy intersection and organized numerous small marches, paralyzing traffic for weeks. The protests waned in mid-June. There were multiple instances of police using disproportionate force when dealing with protesters and detaining demonstrators without explanation. Protesters also attacked citizens who did not share their political views on multiple occasions and used violence to provoke the police. The Office of the Ombudsperson issued a report on May 2 summarizing the findings of its rapid response groups that visited police stations where 151 persons were detained during the day. The report noted procedural violations and instances of police brutality towards demonstrators and journalists but welcomed a police department announcement that it would investigate the reports of police violence. The ombudsperson's report also noted the use of disproportionate force by police to detain protesters but also provocative behavior against the police by protesters, including shouting insults and tearing shoulder straps and insignia.

On May 13, Freedom House tweeted its concern regarding violence at protests targeting journalists, public figures, and ordinary citizens in the country. The organization appealed to demonstrators to exercise their fundamental rights peacefully and called on police to refrain from using disproportionate force. On June 2, the Coalition to Stop Violence Against Women issued a statement

condemning violence by police officers against protesters, violent apprehensions, beatings, and humiliating treatment of protesters, including women.

Violent clashes between protesters and police took place on June 3, after protesters marched toward the prime minister's residence. Police used less-than-lethal measures in a reported attempt to contain the clashes, including flash grenades. According to media reports, as a result of the clashes, 60 persons were hospitalized, 39 of them police officers. In a June 4 statement, the ombudsperson called for a thorough investigation of the proportionality and manner of use of the less-than-lethal measures. According to the statement, five of 11 persons interviewed at police stations following the clashes had bodily injuries, including on their faces, heads, jaws, and eyes, which reportedly occurred after those persons were apprehended. The Office of the Ombudsperson also reported injuries of various degrees on police caused by sharp tools and heavy metal objects. The ombudsperson condemned incitement and justification of hate speech and polarization of public discourse. According to official information, while numerous criminal investigations were launched against police, by the end of the year no police officers were charged with disproportionate use of force or other crimes.

On August 24, a disproportionately large police contingent disrupted a rally organized by a few dozen Russian citizens in downtown Yerevan protesting Russia's war against Ukraine. Police detained 22 participants, including the organizers, and several journalists, within minutes of the start of the protest. All were released later that day. Police confiscated posters but allowed the remaining crowd to continue, provided they did not chant anything calling for the release of political prisoners in Russia. Police, however, without explanation, forbade a march to the Russian embassy that same day that had been previously approved by the municipality.

On the morning of September 21, special police used force and detained 37 relatives of deceased service members, mostly women, who had gathered at the entrance of the military pantheon and were waiting for the arrival of the prime minister and other officials. Following this, 35 civil society organizations issued a statement condemning the police use of disproportionate force toward seemingly peaceful protesters, some of whom were injured. The NGOs demanded a swift

investigation and the dismissal of the police chief, without whose orders they believed the operation would not have taken place. The Coalition to Stop Violence against Women also issued a statement condemning the "brutal" actions of the police, stating it was not the first time police used force against mothers in mourning. According to official information, the IC had launched a criminal case into police actions for abuse of authority. By the end of the year, the investigation continued but no individuals had been charged.

Freedom of Association

The constitution and law provide this right, and the government generally respected it. Despite a 2010 Constitutional Court decision that allowed all NGOs to have legal standing in court, the law on public organizations recognized NGOs' legal standing to act on behalf of their beneficiaries in court only on environmental issues. In May 2021, amendments to the law expanded NGOs' legal standing to include presenting public interest cases for the protection of persons with disabilities.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation; the government generally respected these related rights. The government issued a Convention Travel Document to all recognized refugees; however, the tender for biometric versions of the document was stalled for several years, delaying issuance, and resulting in some embassies' refusal to issue visas to refugees holding nonbiometric travel documents. Stateless persons by law were not entitled to travel documents.

e. Protection of Refugees

Authorities cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and

assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. The law requires the detention authority to notify detainees concerning their right to apply for asylum and provides a 15-day period for application. UNHCR reported problems with proper notification procedures that resulted in missed deadlines and asylum refusals.

Applications to reopen closed asylum cases were treated as repeat applications requiring new elements, a practice that hindered access to asylum.

The law accounts for specific needs of asylum seekers who are children, persons with mental disabilities, and trauma survivors and allows detention centers to receive asylum applications. Authorities generally enforced the law, but only to the extent scarce resources allowed. Applicants with specific needs were mainly supported by UNHCR through its partner NGOs. Refugees who were not ethnic Armenians could apply for facilitated naturalization, which requires passing a constitutional knowledge test.

Shortcomings in asylum procedures included limited state funding for interpreters and deficiencies in training and capacity of eligibility determination officers, with no sustainable quality assurance mechanism and a lack of professional development of staff. Asylum seekers expressed concern regarding their access to legal aid. While the law provides for free legal assistance to asylum seekers through the Office of the Public Defender under the Chamber of Advocates, legal, capacity, and operational constraints reportedly hindered the exercise of this right. Legal aid to persons filing their initial asylum applications was limited to the provision of information and counseling, while legal assistance and representation were available to asylum seekers appealing negative asylum decisions. Legal representation at initial asylum hearings was available in only a limited number of cases and only when it was provided by UNHCR partner NGOs. Due to serious systemic constraints, including insufficient and inexperienced staff at the Public Defender's Office and a lack of interpreter services, asylum seekers reportedly experienced serious difficulties accessing quality legal assistance when they

attempted to appeal negative asylum decisions. During the year, the Public Defender's Office, with UNHCR support and EU funding, recruited an asylum coordinator to work closely with UNHCR and coordinate interpretation, legal aid, and representation for asylum seekers, and advise the Public Defender's Office on applicable laws and procedures.

Judges exhibited conservative approaches toward asylum claims, often referring to national security considerations in the abstract and rejecting appeals without thoroughly assessing asylum claims. While procedures for determining refugee status improved over the past decade, there were concerns regarding how judges applied basic asylum concepts and the subjective attitudes of staff in assessing religion-based claims. Although some judges received additional training on asylum matters and practical implementation of decisions during the year, asylum cases continued to be assigned to judges lacking in-depth knowledge of relevant law. Judicial review remained a lengthy process as judges remained overloaded with cases.

In May 2021, parliament amended the Law on Refugees and Asylum and the administrative procedure code to accelerate asylum procedures for applicants who crossed the border irregularly, were subject to outstanding requests for their extradition, or were subject to criminal prosecution in Armenia; the amendments entered into force in August 2021. Given the obstacles faced by asylum seekers who attempt to obtain legal aid, some experts were concerned that the accelerated procedures could make it more difficult for some asylum applicants to achieve effective remedies.

Authorities continued to offer some displaced ethnic Armenians from abroad a choice of protection options, including expedited naturalization, a residence permit, or refugee status. Quick naturalization gave displaced persons the same legal right to health care and most other social services as other citizens. Many of the countrywide reforms, such as provision of increased social services, higher pensions, and more accessible health care also benefited refugees who became naturalized citizens.

Refugees who are not ethnic Armenians may apply for facilitated naturalization, which requires passing a test focused on knowledge of the constitution.

There were reports of nonsystemic discrimination in the acceptance of applications and in detention of asylum seekers based on the country of origin, race, sexual orientation, gender identity, or religion of the asylum seeker, as well as difficulties with integration. Civil society observers reported discriminatory attitudes and suspicion directed towards foreign migrants seeking employment.

The law allows detention centers to receive asylum applications. Despite a provision in the law exempting asylum seekers from criminal liability for irregular border crossing, authorities required asylum seekers to remain in detention pending the outcome of their asylum applications or to serve the remainder of their sentences. The new criminal code that came into force in July reflected the nonpenalization clause of the 1951 Refugee Convention, specifically under the articles on irregular crossing of the state border and use of falsified documents. Civil society observers reported that due to the lack of development of standard operating procedures, the nonpenalization clauses of the new criminal code were yet to be enforced, and detentions were implemented in cases of illegal border crossings.

Access to Basic Services: Many asylum seekers were unable to work or receive an education while their cases worked their way through the legal system, despite legal provisions protecting these rights, due to a lack of job openings, difficulty in accessing opportunities, and language barriers. The government reception center and integration house (a refugee housing facility where some asylum seekers were accommodated) provided some Armenian and Russian language classes.

Housing allocated to refugees was in limited supply, in poor condition, and remained, along with employment, refugees' greatest concern. Many displaced families relied on a rental subsidy program supported by UNHCR and diaspora organizations, which experts noted was only a temporary solution. Since January, government officials claimed technical issues prevented them from paying the monthly financial assistance provided by law to recognized refugees. Authorities operated an integration house with places for 29 refugees and offered refugees accommodation free of charge during the first months after they acquired refugee status. According to a July report by the Office of the Ombudsperson, the conditions at the shelter for refugees operated by the Migration Service were substandard. Some areas, including the common kitchen, were inaccessible to

persons with mobility difficulties. The facility accommodated only refugees. There was no accommodation for asylum seekers; construction of such an accommodation was underway.

Overall, observers assessed refugee and asylum-seeker access to the health-care system as adequate but noted that asylum seekers faced difficulties because they did not have access to the e-health ArMed system, largely due to language barriers. This system permitted advance registration for medical examinations and services and provided information regarding vaccination records that were required for individuals' travel outside the country. One service provider noted that some institutions, such as polyclinics, banks, and private employers, did not recognize the Convention Travel Document (issued by Armenia to show that the holder is a refugee and has been granted asylum) as an identification document.

In addition to language barriers, other obstacles to accessing education included expenses related to transportation, school supplies, clothes, and bullying by other students.

Durable Solutions: The government accepted refugees for resettlement and offered naturalization to refugees residing on its territory. In May 2021, the government adopted the *Conceptual Framework for the State Management of Migration* that envisaged development of the *2021-31 Integration Strategy* and its action plan for 2021-26. The framework also offered integration programs to returnees from West European countries who either voluntarily returned or were deported by the host country. Civil society representatives reported the integration strategy as well as its action plan were largely inactive, which they assessed was due to government plans to reorganize several immigration-related offices and create a Ministry of Interior by year's end.

f. Status and Treatment of Internally Displaced Persons

As of December 2021, according to the international NGO Internal Displacement Monitoring Center, approximately 800 internally displaced persons (IDPs) of the estimated 65,000 households evacuated in connection with the 1988-94 fighting were still living in displacement. According to the State Migration Service, as of November, there were 20,428 displaced persons from Nagorno-Karabakh in

Armenia. Armenia overall recognized 3,466 refugees and 413 asylum seekers from various countries. Some IDPs and refugees lacked adequate housing and had limited economic opportunities. The government did not have specific programs and policies aimed at promoting the safe, voluntary, and dignified return, resettlement, or local integration of IDPs.

According to official information, following the September 13-14 fighting, at least 7,600 persons were displaced from the Gegharkunik, Syunik, and Vayots Dzor regions. The majority of them were women, children, elderly persons, and persons with disabilities, among them 1,437 children and 99 persons with disabilities. By November 23, 2,532 of those persons were still registered with the State Migration Service.

g. Stateless Persons

According to official data, as of July there were 816 stateless persons in country. There was limited information available on the number, geographic locations, and profile of stateless persons, persons at risk of statelessness, and undocumented persons. The citizenship law provides for the provision of nationality to stateless children born on the country's territory. Amendments to the citizenship law adopted by parliament came into force in June; however, the scope of the amendments was limited and did not address the root problems with statelessness, including proper identification and referral mechanisms.

Section 3. Freedom to Participate in the Political Process

The constitution and laws provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In June 2021, the country held snap parliamentary elections in which fundamental rights and freedoms were generally respected and contestants were able to campaign freely. Elections were preceded by a short and heated campaign marked by harsh and inflammatory language.

The final report issued by the Organization for Security and Cooperation in Europe's (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) in October 2021 noted the elections were held with general respect for fundamental rights and freedoms but that "high levels of harsh, intolerant, inflammatory and discriminatory rhetoric in the period leading up to election day tainted the debate." Other shortcomings identified by ODIHR included incidents of pressure by political actors and employers on private-sector and public employees to attend campaign events; a number of allegations of vote buying; blurring of the line between the ruling party and state; allegations of the misuse of administrative resources; continued shortcomings regarding campaign finance, notably the absence of organizational expenses in the legal definition of campaign expenditures; the failure of territorial election commissions to publish their decisions online and uniformly post them for public display; and the narrow legal standing for submitting electoral complaints.

Political Parties and Political Participation: The law does not restrict the registration or activity of political parties.

There were reports of pressure on opposition candidates prior to and after the September municipal elections. Law enforcement officials arrested two municipal employees affiliated with the opposition coalition, Strong Community, in Berd, Tavush region, on election day, September 25. The two were accused of using their power and influence to force others to support the coalition. As these actions allegedly took place in August, observers questioned why the arrests took place that day, suggesting it gave the appearance of the selective application of justice. Additionally, the head of the Strong Community coalition, which secured a majority of votes in the September 25 elections, who had been in prison since November 2021 for alleged abuse of power, was released from prison on bail on October 8, one day after he announced he was resigning from the City Council. Observers questioned whether his release on bail came in exchange for his resignation announcement.

This followed similar reports of pressure on opposition candidates related to the October to December 2021 municipal elections. For example, in December 2021, former mayor of Vanadzor and opposition candidate for mayor Mamikon Aslanyan was arrested on charges of abuse of power and fraud stemming from a criminal

case launched in September. The arrest came immediately after Vanadzor municipal elections, in which Aslanyan's bloc received a plurality of votes and was in the process of discussions to form a city council government. Many commentators believed that, due to the timing, the arrest was politically motivated and constituted selective application of the law against the ruling party's political opponent, even if the case had merits. They also questioned the necessity of pretrial detention in this case. For example, prominent human rights defender Artur Sakunts, head of the HCAV, characterized the move as part of "a new KGB-like style, when a dossier [of disparaging information] is being developed on an individual and used [against him] only when necessary for political reasons." Aslanyan remained in pretrial detention at year's end.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of minority groups in the political process, and women did participate. The patriarchal nature of society, however, inhibited large-scale participation by women in political and economic life and in decision-making positions in the public sector. Women parliamentarians and other women officials often faced gender-based harassment and abuse.

Legislation mandates that women and men must each account for at least 30 percent of candidates in the National Assembly elections, an increase from the previously applied quota of 25 percent. Following 2020 electoral code amendments, the 30 percent quota was also applied to all local elections that took place in 2021 and beyond under the proportional representation electoral system. Women held two of 16 cabinet positions, approximately 36 percent of seats in the National Assembly, and approximately 31 percent of the seats in local legislatures – an increase from 8.7 percent prior to the 2021 local elections. There were no women deputy speakers or faction heads in the National Assembly, and only two out of the 12 parliamentary standing committees had women chairs. There was one woman governor in the country's 10 regions.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. Following the 2018

"Velvet Revolution," the government opened investigations that revealed systemic corruption encompassing most areas of public and private life. The government launched numerous criminal cases against alleged corruption by former high-ranking government officials and their relatives, parliamentarians, the former presidents, and in a few instances, members of the judiciary and their relatives, with cases involving monetary values from a few thousand to millions of dollars. Many of the cases continued to be investigated, and the opening of additional cases was reported regularly. The government also initiated corruption-related cases against several current government officials and members of the judiciary. There were no convictions in any of the high-profile corruption criminal cases as of year's end.

Authorities took measures to strengthen the institutional framework to fight corruption, including establishing the legal framework for the Anti-Corruption Court, which was intended to serve as a specialized court to deal with corruption cases. The Anticorruption Committee, which serves as the main investigative body on corruption cases, became fully operational during the year. The Department for the Confiscation of Property of Illicit Origin in the Prosecutor General's Office seized tens of millions of dollars in assets allegedly acquired through illicit funds; brought as many as a dozen lawsuits involving these assets to trial; and continued working on more than 300 other prosecutions.

The Corruption Prevention Commission (CPC) exercised its powers to conduct integrity checks for judicial, prosecutorial, and other nominees, including nominees for anticorruption judges and Anticorruption Committee investigators. During the first six months of the year, the CPC conducted 261 integrity checks resulting in 15 disciplinary and 30 administrative cases. The CPC's integrity checks, however, were purely advisory and the authorities at times ignored them. In June, the CPC adopted the first-ever model code of conduct for public officials, which paved the way for institutionalizing integrity systems across the government.

During the year, the CPC started exercising its powers of supervision over the financial activity of political parties. Oversight activities included checking the compliance of parties' annual reports, ensuring registration declarations by party leaders, selecting companies to audit political parties' annual reports, and

examining and resolving cases concerning violations therein.

Corruption: The country had a legacy of systemic corruption in many areas, including construction, mining, public administration, parliament, the judiciary, procurement practices, and provision of state assistance. There were allegations of embezzlement of state funds and involvement of government officials in questionable business activities.

On March 30, the Anticorruption Committee arrested Minister of Emergency Situations Andranik Piloyan on multiple corruption charges and announced a broader investigation of the ministry. According to official information, on September 28, the Anticorruption Committee indicted Piloyan (who was released on bail) and 12 other ministry officials on corruption charges. The committee also continued its investigation of a former president, former defense minister, and former chief of police – all on corruption charges. It submitted its case against former Prosecutor General Aghvan Hovsepyan to the court, and the case remained in progress at year's end.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restrictions, freely investigating and publishing their findings on human rights cases. The government's prosecution of a Yezidi human rights defender, however, was an exception (see section 2.a.).

The government at times did not act to protect civil society organizations from disinformation or threats, including threats to harm individual activists. In a trend that began in 2020, academics and other opinion leaders, including those advocating human rights, became reluctant to express their opinions in public, particularly online, due to hate campaigns instigated by nationalist groups and individuals affiliated with the opposition and Russia. As a result, constructive discourse around human rights generally decreased. The government did not prosecute any calls to harm civil society actors under legislation adopted in 2020 that criminalizes public calls for violence.

On February 22, the IC suspended the investigation into the 2020 attack on the Open Society Foundations-Armenia office, asserting inability to identify the perpetrators. At the same time, the NSS indicted three persons in connection with the separate attack on Radio Free Europe/Radio Liberty.

Retribution against Human Rights Defenders (HRDs): During the year, the trial continued against Yezidi human rights activist and president of Yezidi Center for Human Rights Sashik Sultanyan until he left the country in July. A court subsequently issued a warrant for his arrest. He was indicted in July 2021 on charges of inciting national, racial, or religious enmity for comments he made to a journalist in Iraq (that he clearly indicated were to be "off the record") criticizing the treatment of Yezidis in Armenia, which the journalist surreptitiously recorded and then published. International human rights organizations called Sultanyan's remarks clear examples of legitimate protected speech and termed the prosecution malicious and a threat to democracy. According to human rights observers, the prosecution failed to prove any malintent or misconduct by Sultanyan. The case materials showed that Sultanyan had been under NSS surveillance before the interview on suspicion of having links to foreign special services and being a threat to the constitutional order. The case materials and prosecution questioned aspects of Sultanyan's work typical of a human rights defender's activity, such as raising discrimination concerns at international fora, collecting data on discrimination against Yezidis during COVID-19, and receiving international grants for carrying out human rights work. According to human rights activists, the prosecution had an especially chilling effect on ethnic minorities. According to the Yezidi Center for Human Rights, Sultanyan left the country due to his "illegal" persecution and threats to his physical security. The continuation of the prosecution during the year also raised concerns regarding lack of oversight of the National Security Service.

NGO members also continued to report threats to their persons. Intimidation continued to come from online trolls, media outlets, malign news outlets, and nationalist groups, many of which were affiliated with the former government and, some local experts alleged, Russian actors. Especially targeted were those promoting human rights, women's and children's rights, and deeper law enforcement and judicial reforms, particularly the Open Society Foundation.

According to observers, the perpetrators aimed to vilify, discredit, and marginalize democracy and human rights-oriented civil society and replace them with other "civil society" actors that supported authoritarianism.

According to Human Rights House (HRH), a relatively recent trend it identified in 2021 of nationalist campaigns targeting human rights defenders continued during the year. Such campaigns included filing criminal complaints against human rights defenders based on false statements regarding alleged crimes. The intent was to divert human rights defenders' energy and attention away from their legitimate work, and, according to HRH, the spread of false statements had a considerable chilling effect on human rights defenders and their work.

In June, attorneys Tigran Atanesyan and Margarita Gyulumyan petitioned the court of general jurisdiction, demanding the immediate liquidation of the activities of the Open Society Foundations-Armenia on the grounds that the foundation had deviated from the goals stipulated in its charter and that its activities endangered the safety of the state and society. In August, the court found the complaint admissible, and the case was pending further review. The foundation and other credible human rights and civil society activists insisted the complaint only aimed to harass and discredit the human rights defenders' work in the country.

Government Human Rights Bodies: The Office of the Human Rights Defender (the ombudsperson) has a mandate to protect human rights and fundamental freedoms from abuse at all levels of government. The office operated independently and served as an effective advocate on individual cases. On February 23, the term of office of Ombudsperson Arman Tatoyan expired. He became the first ombudsperson since the establishment of the office in 2003 to serve a full term. On February 24, the new Ombudsperson, Kristinne Grigoryan, took office.

On July 21, the government approved the new *Judicial and Legal Reform Strategy for 2022-2026* and action plan for its implementation that again envisaged the creation of a fact-finding commission to examine human rights problems. Parliament again did not adopt legislation previously drafted to establish the commission. Human rights groups accused the ruling party of lacking the political will to establish the commission and said the strategy did not reflect the position

and recommendations of civil society.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape is a criminal offense, and conviction carries a maximum prison sentence of 15 years; general rape statutes apply to the prosecution of spousal rape. Domestic violence was prosecuted under general statutes dealing with violence and carried various sentences depending on the charge (murder, damage to health, rape, etc.). Overall, law enforcement bodies did not effectively investigate or prosecute allegations of domestic violence. Although police responded to domestic violence cases, few were successfully prosecuted. Domestic violence against women was widespread. According to the Coalition to Stop Violence Against Women, 15 women were killed at the hands of their partners during the year, the highest number of deaths they had registered within one year.

For example, on March 11 in the village of Zovuni, a man threw a grenade at his former wife and they both died in the explosion. According to the Coalition to Stop Violence Against Women, the woman had appealed several days before the incident to the Women's Support Center, reporting threats from her former husband, but she had refused shelter in order to not be separated from her children. A relative of the woman complained to the press concerning police inaction since the woman had applied numerous times for protection, including after she was subject to a failed attempt to kill her earlier in the year.

According to a 2021 survey on domestic violence against women led by the National Statistical Service and released in June, 14.8 percent of women and girls ages 15 to 59 had been subjected to physical violence by a husband or intimate partner; 5.5 percent had faced severe physical violence; and 6.6 percent had been sexually abused by a partner. Of the women surveyed, 31.8 percent reported psychological violence.

The new criminal code that came into force in July introduced the concept of violence by an intimate partner but does not define domestic violence. According

to the Coalition to Stop Violence against Women, while the law addresses prevention of domestic violence and protection of survivors, there are no effective provisions on the punishment of abusers to deter attacks or break the cycle of violence. When the perpetrators were fined by the court, the fine affected the joint budget of the family, often leaving the perpetrator angrier and more prone to violence. Similarly, the "warning" by the police to the abuser had an aggravating effect. Observers noted that under existing mechanisms, violence ceased or was prevented only by the survivor's removal from the environment. According to the coalition, approximately 25 to 30 percent of the beneficiaries of the Women's Support Center NGO decided to leave the country to escape their abusers.

Based on a review released by the Your Defender legal office on July 12 that evaluated 174 domestic violence criminal cases from 2019-21 in Yerevan and the Shirak and Armavir regions, monitoring of eight domestic violence trials, and in-depth interviews with 16 survivors, most criminal cases were launched based on charges of battery, while no charges were brought for psychological suffering. Trial sessions were held every month and a half to two months, violating the reasonable timeframe for examining a case, according to the report. The timeframe, coupled with regular questioning by law enforcement officials and face-to-face encounters with abusers, discouraged women from reporting abuse. According to the research, court sessions were typically postponed due to defendants' or prosecutors' failure to appear and the overburdened court system. Judges did not sanction defendants for failure to appear. According to the research, most domestic violence cases ended in reconciliation, but it was not clear whether this was due to violence ending or was forced upon survivors due to financial dependence or fears regarding access to their children. In cases that went to court, punishments were typically light (fines or suspended sentences). Other defendants delayed trials until the statute of limitations expired.

According to the September submission of the Coalition to Stop Violence against Women to the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW shadow report), while the widespread training of judicial officials, prosecutors, police, and other law enforcement officers on the application of the domestic violence legislation over the past several years was commendable, much work remained to adequately protect survivors of domestic

and sexual violence. According to the September CEDAW shadow report, harmful gender stereotyping, secondary victimization, victim-blaming, and disbelief in survivors' testimonies were serious problems in the investigation and prosecution of cases. Most survivors of sexual violence avoided unveiling details of the violence committed against them, owing to fear of the violator and a lack of confidence in law enforcement authorities. Survivors reported that police did not take domestic violence cases seriously. They were discouraged from filing complaints and, in some cases, police refused to act on cases that were filed. Police officers also attempted to convince survivors to reconcile with their abusers. In many cases, risk assessments were not carried out in accordance with international standards. Police and service providers did not have appropriate skills communicating with women with different types of disabilities, which resulted in discrimination, neglect, and exclusion.

During the year, the government continued to provide limited funding to support two domestic violence survivor support centers, available to women from throughout the country.

According to the Coalition to Stop Violence against Women, the law's failure to include lack of consent in definitions of sexual violence crimes left many coerced sexual acts unpunished. According to the Sexual Assault Crisis Center NGO, the investigation of sexual violence cases did not differ from the investigation of any other criminal case in terms of secrecy, investigator sensitivity, or number of interrogations, and survivors were obliged to testify or otherwise participate in investigations multiple times, including in face-to-face encounters with their abusers. Reports on standard forensic examinations into alleged rape included information on whether the subject was a virgin.

Activists and NGOs that assisted survivors of domestic violence or promoted gender equality were frequent targets of hate speech and criticized for allegedly undermining "Armenian traditional families" and spreading "Western values." According to the September CEDAW shadow report, the state did not sufficiently fulfill its duty to protect human rights defenders.

Sexual Harassment: Although the law addresses lewd acts and indecent behavior, it does not cover all the elements of sexual harassment. The law

considers “sexual harassment” as a form of gender-based discrimination, including acts of a sexual nature having a verbal or physical manifestation or any situation aimed at humiliating dignity, intimidation, hostility, or degradation. It does not include reference to quid pro quo elements, such as demands that an individual agree to a sexual demand to receive a benefit at work or in another context. The labor code does not have any reference to sexual harassment, and there is no specific law prohibiting sexual harassment in the workplace or providing criminal penalties or civil remedies for sexual harassment in the workplace.

Observers believed sexual harassment of women in the workplace and the political arena was widespread and was not adequately addressed by the government.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

In its September CEDAW shadow report, the Coalition to Stop Violence against Women found that the high cost and lack of access to family planning services in rural areas de facto deprived women of the right to access family planning services. According to the report, the state did not ensure the availability of contraceptives and free access to family planning services and methods. Due also to the general absence of comprehensive sex education in the country, rural women’s limited awareness of contraception, family planning, and prevention of sexually transmitted infections remained a problem. Women and girls from historically marginalized communities were particularly affected by the lack of access to appropriate sexual and reproductive health-care services. The state did not ensure the accessibility of health services for remote rural areas, including emergency gynecological care, nor did it guarantee that health workers received adequate and continual training on sexual and reproductive health issues with special attention to women from historically marginalized communities, including LGBTQI+ women and girls, women and girls with HIV, and women and girls with disabilities.

Physical barriers, a lack of accessible information and communication, inaccessible training or treatment equipment, and health-care professionals who lacked relevant knowledge limited the access of women with disabilities – especially those in the rural areas – to health services, including sexual and reproductive health-care

services. There were no sign language interpreters in medical institutions, and women requiring such support therefore had to find a corresponding specialist, an expensive service. Persons with hearing and visual disabilities and persons with intellectual disabilities had no access to alternative formats for health-care-related information. Cultural barriers continued to impact access to sexual and reproductive health services. There were no government policies preventing individuals' ability to be informed and access sexual and reproductive health services.

Emergency health care was available to manage any complications resulting from abortion. There were no government programs to provide access to sexual and reproductive health services for survivors of sexual violence.

Discrimination: Men and women enjoy equal legal status in all spheres, but gender-based discrimination was a problem in both the public and private sectors. There were reports of discrimination against women with respect to occupation, employment, and pay. The law does not prohibit discrimination in access to credit based on sex.

Gender-biased Sex Selection: Despite legislative changes banning such practices and related public-awareness campaigns, data on newborns continued to indicate a skewed sex ratio at birth. According to the Statistical Committee of Armenia, the boy-to-girl ratio at birth in 2021 was 109 to 100. Women's rights groups considered gender-biased sex selection practices as part of a broader problem of gender inequality in the country.

Systemic Racial or Ethnic Violence and Discrimination

The constitution prohibits discrimination based on sex, race, skin color, ethnic or social origin, genetic features, language, religion, political opinion, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances. The criminal code prohibits unequal treatment of persons based on the above grounds if such treatment causes damage to human rights and the lawful interests of a person, and it views the same act committed by officials as an aggravating circumstance.

Government enforcement of the law against racial/ethnic violence and

discrimination was uneven. The government failed to investigate allegations regarding human rights abuses against Yezidis. Instead, the government prosecuted Yezidi activist Sashik Sultanyan with inciting hatred for comments he made raising human rights concerns regarding the treatment of the Yezidi community (see section 5). Individual Yezidis periodically reported facing discrimination, including in cases involving property disputes. Residents of some Yezidi villages in the Aragatsotn region considered the villages' poor socioeconomic conditions and the lack of roads, water, and other infrastructure as indirect discrimination. There were isolated reports of societal discrimination against persons of color and graffiti using derogatory terms for them.

Following the border closure between Armenia and Azerbaijan in 1991, inflammatory rhetoric and hate speech became increasingly prevalent, particularly as an entire generation grew up without interactions with the other side. While the government did not promote hate speech against Azerbaijanis, it also did not condemn such speech when it occurred.

In December 2021, the International Court of Justice issued provisional measures against both Armenia and Azerbaijan regarding claims and counterclaims of violating the International Convention on the Elimination of All Forms of Racial Discrimination. The court ruled that Armenia "shall...take all necessary measures to prevent incitement and promotion of racial hatred, including by organizations and private persons in its territory, targeted at persons of Azerbaijani national or ethnic origin." The court also ruled that both countries "shall refrain from any action which might aggravate or extend the dispute before the court or make it more difficult to resolve." Both countries were also directed to "take all necessary measures to prevent the incitement and promotion of racial hatred and discrimination" against the other (also see the *Country Reports on Human Rights Practices* for Azerbaijan).

Children

Birth Registration: Children derive citizenship from one or both parents. A centralized system generated a medical certificate of birth to make avoidance of birth registration almost impossible. A low percentage of births were registered in Yezidi and Kurdish communities practicing homebirths.

Education: Although education is free and compulsory through grade 12, in practice it was not universal: participation, completion, and dropout rates of students varied based their socioeconomic status and place of residence.

Enrollment and attendance rates for children from ethnic minority groups, in particular Yezidis, Kurds, and Molokans, were significantly lower than average, and dropout rates after the ninth grade were higher. Seven schools throughout the country offered Yezidi and Assyrian language classes either as part of the main curriculum or as an extracurricular class. The Yezidi community considered the number of schools insufficient given the size of the community. Yezidi parents continued to complain that the classes did not adhere to any standards and were largely ineffective.

Most Yezidi children reportedly grew up speaking their native tongue and had little or no command of Armenian upon entering schools. Girls' early marriages and girls' and boys' engagement in income generation to support the family continued to be among the reasons for dropping out of school. The absence of preschool educational services in most Yezidi villages, insufficient professional skills of the teaching staff, discrimination towards Yezidi pupils, and the quality of Yezidi language instruction created problems for Yezidi children, who struggled in school and fell behind their Armenian-speaking classmates.

UNHCR reported that at least 26,725 persons recently displaced from Nagorno-Karabakh were living in the country in a refugee-like situation as of year's end. Of the 3,858 school-age children from Nagorno-Karabakh estimated to be remaining in the country in refugee-like situations, data from schools suggested approximately 3,405 registered in schools. The government provided access to public schools for all children in refugee-like situations. Nevertheless, their displacement and the pandemic were not conducive to continuous education. Although systematic evidence was not available, education personnel observed negative effects on learning outcomes.

In July 2021, the local Institute of Public Policy presented a report assessing the education and protection needs of displaced children, who made up almost 40 percent of the displaced population. According to the report, the arrival of displaced children presented a variety of problems, including inadequate

assessment of children's educational needs, unclear data on children no longer in school, as well as children who had long-term gaps in their education. According to the report, multiple moves accompanied by school transfers exacerbated the stress and anxiety suffered by displaced children and hindered their inclusion in the education system.

The report noted that the attitude of teachers and local children and their parents, which included both negative and extremely positive stereotypes, differentiated displaced children and hindered their integration into the school environment. Neither host communities nor schools conducted effective, coordinated efforts to help displaced children adapt to their new environment. Children with special educational needs encountered more serious difficulties during the adaptation process. According to the report, as of July 2021, the problem of adapting to the new environment was largely left to members of the displaced community themselves without systematic professional support by authorities in the areas of education and psychological counseling.

According to experts, schools were one of the major social institutions that perpetuated gender stereotypes and roles given almost universal participation in secondary general education. The schools perpetuated views and practices that disempowered girls and later translated into lower levels of economic activity and leadership roles, as well as higher unemployment, underemployment, and burden of unpaid domestic work and care functions. A particular area of concern was linked to STEM subjects (i.e., science, technology, engineering, and mathematics), where gender stereotypes through textbooks and gender bias in teaching styles discouraged girls from pursuing these subjects throughout middle and high school.

Child Abuse: The Law on Child's Rights prohibits abuse, and the criminal code prescribes punishments for such abuse. Despite this prohibition, violence was widely used as a method of discipline. In the aftermath of the military hostilities of 2020 and the continuing impact of the COVID-19 pandemic, the provision of mental health and psychosocial support to children and their families remained a priority for the government. The government largely relied on NGO and international partners to provide the services.

In 2021 following advocacy by UNICEF, forensic interviews of child victims by

certified forensic psychologists in child abuse criminal proceedings was introduced, along with other provisions on child-friendly justice mechanisms. The first cohort of psychologists were trained and certified by the Ministry of Justice and began participating in criminal proceedings in July.

According to observers, two-thirds of the sexual crimes in the country were against minors. Observers believed the incidence of sexual violence was higher since the strong stigma around such violence discouraged reporting by victims and their families. According to the Investigative Committee, 57 of 229 criminal cases on crimes against children were of a sexual nature in the first half of 2021.

Child, Early, and Forced Marriage: The legal minimum age for marriage is 18, although an individual may marry with the consent of a legal guardian at age 17 or at age 16 to a partner who is at least 18. Early marriage of girls was reportedly widespread within Yezidi communities. Reports indicated some girls left school either as a consequence of early marriage or to avoid abduction and forced marriage. The government did not record the number of early marriages. According to official information, the government cooperated with the Yezidi Center for Human Rights to carry out awareness-raising seminars among the law-enforcement bodies, the Ministry of Justice, and local authorities on the risks of early marriage in the Yezidi community.

Sexual Exploitation of Children: The law prohibits the sexual exploitation of children and provides for prison sentences of seven to 15 years for conviction of violations. Conviction for child pornography is punishable by imprisonment for up to seven years. There were no reported convictions nor reports that the authorities did not enforce the law. The minimum age for consensual sex is 16. In 2020 the government established a referral mechanism for child victims of trafficking and exploitation.

According to NGOs, although official statistics showed relatively few cases of sexual exploitation and sale of children, there were numerous undetected and unreported cases caused by gaps in legislation, training, awareness raising, detection, and reporting.

Institutionalized Children: The number of children in institutions was reduced

by approximately 80 percent in 2021 compared with 2015, making the total 918, due to child protection reforms implemented over the years to deinstitutionalize children from residential care institutions and reunify children with their families. Five state and seven nonstate institutions providing residential care, however, continued to operate. Disability continued to be the main reason for children entering institutions. The majority of children in state-run orphanages had disabilities. At the same time, 80 to 90 percent of children receiving care at the facilities had at least one parent alive. According to the ombudsperson's *Annual Report* for 2021, one of the concerns for children with disabilities residing in specialized orphanages remained the lack of building/facility accessibility. Other systemic issues revealed during the ombudsperson's visits to the state-run orphanages included lack of necessary food items in the daily menu, professional need-based services, and training opportunities for independent living, as well as shortcomings in individualized educational/development services and health-care services for institutionalized children.

Following up on the Ombudsperson's Office's August 2021 report on problems it observed during a July visit to the Mari Izmirlyan orphanage for children with disabilities, the Ministry of Labor and Social Affairs partnered with the Office of the Ombudsperson to improve the skills of the staff in all residential institutions in the country. The partnership also expanded children's participation in the improvement of care in those institutions.

The government continued to prioritize deinstitutionalization of child care and increasing family-based care. Implementation of the Comprehensive Program on Implementation of the Right of the Child to Live in a Family and of the Right to Harmonious Development for 2020-2023 continued, with a special focus on strengthening and expanding day-care services, as well as the foster-care system. UNICEF together with its partners and the government implemented interventions to raise awareness concerning emergency foster care and train and register potential foster parents in three border regions (Syunik, Gegharkunik, and Vayots Dzor), with the latter two not having had registered foster parents before. The number of children placed in foster families continued to increase, including the number of children with disabilities cared for in foster families.

Antisemitism

Observers estimated the country's Jewish population at between 500 and 1,000 persons. Members of the Jewish community reported a notable improvement during the year and decrease of antisemitism compared with the previous year, when, following the intensive fighting with Azerbaijan in the fall of 2020, antisemitic sentiments in society increased, reportedly due to Azerbaijani use of Israeli-produced weapons. A representative of the Jewish community reported that the hundreds of Jews who had arrived from Russia since February reported only positive experiences in the country.

On April 28, during a commemoration event near Yerevan's Holocaust and Genocide Memorial, a man cut the wiring feeding the speaker during the rabbi's prayer, leading to a short circuit that exploded and damaged the speaker. Participants of the event and nearby patrol police apprehended the culprit, who repented his actions and reportedly said he was upset about the prayer and believed it was unfair that Israel had not recognized the Armenian genocide. Jewish community representatives said they would not press charges but wanted a public apology and compensation for the damaged equipment, none of which had occurred by year's end.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: Same-sex sexual conduct was not criminalized, and no other facially neutral laws were used to disproportionate effect against LGBTQI+ persons.

Violence against LGBTQI+ Persons: Human rights organizations reported a surge in hate crimes against LGBTQI+ persons during the year. Law enforcement

bodies declined to prosecute a number of cases in which perpetrators called for violence and attempted to "justify" violence against LGBTQI+ persons on the grounds of the victim's sexual orientation or gender identity. According to human rights defenders, the failure of law enforcement officials to respond to these crimes created a climate of impunity and increased the potential for new attacks. Although criminal law forbids public calls to violence, the government did not prosecute perpetrators when the victims were LGBTQI+; in contrast, prosecutions were made more frequently when the victims of such calls were targeted for ruling party affiliation.

On July 31, Vahe Yeghiazaryan, who openly professed nationalistic and discriminatory views, publicly livestreamed his attack on a transgender woman in Yerevan, where he chased and swore at her, pushed her to the ground, and beat her with heavy rings. Yeghiazaryan was arrested but released on his own recognizance after agreeing not to leave the country. Yeghiazaryan and another nationalist, Karen Arayan, then boasted about his crime in a Telegram video and called on others to do the same. The video was broadly circulated and generated hundreds of hateful comments against transgender persons. The criminal case was pending as of year's end; Yeghiazaryan remained unpunished.

Yeghiazaryan's attack was followed by more hate crimes against transgender women. On August 28, the Right Side NGO issued a statement calling upon law enforcement bodies to ensure the safety of LGBTQI+ persons, noting that more than six attacks had occurred within a month. According to the NGO, police were conducting a preliminary review of four of the cases; in the other two cases, the victims did not apply to police because they feared their personal information would be made public. According to the statement, the perpetrators remained free, and this climate of impunity encouraged the formation of extremist groups. Transgender persons in particular were the target of daily stigma, discrimination, violence, humiliation, and abuse.

Stereotypes and negative portrayals of LGBTQI+ persons, and acceptance of violence towards them, were reinforced on broadcast media. On June 8, the New Generation NGO appealed to the National Commission on TV and Radio (NCTR) to start legal proceedings against a popular series broadcast on Yerkir Media. According to the NGO, an episode degraded and discredited the police system,

justified and made calls for violence, insulted and humiliated transgender persons, and promoted hatred against persons based on their gender identity. In response, the NCTR fined the media outlet 400,000 drams ($1,000). Shortly afterward, Yerkir Media broadcast another episode with even more violent content, depicting the murder of an LGBTQI+ person. New Generation again appealed to the NCTR; it, and the police, refused to take action.

According to a report of the NGO Pink, the organization recorded 45 violations of the rights of LGBTQI+ individuals or acts of discrimination based on sexual orientation and gender identity during the year. The cases included hate crimes on the street, sexual violence, threats, blackmail, harassment by police, and instances of domestic violence. Of the 45 documented cases, 11 were domestic violence. LGBTQI+ persons continued to avoid contacting law enforcement agencies due to fear of discrimination and lack of trust that the police and investigators would protect their rights and that the perpetrators would be punished. Of the 45 cases of rights violations, in only 16 did victims appeal to law enforcement bodies. The NGO assessed law enforcement officials were slow to act and did not provide the victims with necessary documentation on their cases.

On October 20, a young gay couple, ages 16 and 21, jumped from a bridge to their deaths shortly after posting photographs regarding their relationship on Instagram. The photographs went viral, generating mostly offensive and homophobic comments. The mother of one of the boys also left comments, including, “You are a minor, it would be better for you to die.” Human rights activists and NGOs stated that this incident proved once again that LGBTQI+ persons in the country were not safe and were not protected by society or the state.

On August 18, a trial court in Syunik reopened the criminal case in a 2018 attack by residents of Shurnukh Village against LGBTQI+ activists. The prosecution had dropped the case as the statute of limitations had passed (based on the criminal code when the case was launched). In 2020, the criminal court of appeals had ruled that investigators did not properly investigate the attack, consider the psychological suffering of the victims, or take into account the discriminatory nature of the crime, and thus ordered the case reopened; however, the prosecution suspended the case again in 2021. During a court session considering the victims’ appeal, the state prosecutor attempted to justify the actions of the villagers and

motioned to the court not to reopen the case. On October 24, the criminal court of appeal upheld the August 18 decision and ordered a new investigation of the case.

On May 17, the ECHR ordered the country to pay queer performer Armine "Tsomak" Oganezova, who co-owned and managed a gay-friendly bar in Yerevan, €12,000 ($12,840) in compensation plus legal costs for failing to protect her from homophobic abuse. The bar was firebombed in 2012 by two members of the neo-Nazi group Black Ravens Armenia. After the firebombing, Tsomak was subjected to a campaign of harassment and intimidation by ultraconservative groups, who protested in front of the pub and vandalized what remained after the fire. The culprits were sentenced to a two-year suspended prison sentence in 2013 and were subsequently granted an amnesty.

On February 22, an Ararat region trial court sentenced a man to seven and one-half years in prison for a 2019 attack on a gay person. The perpetrator had forced the victim into his car at gun point, stolen his money, and beaten him. He had threatened to tell the victim's relatives about his sexual orientation and to take him to the police station for his "homosexual behavior," where, according to the threats, all the police officers would sexually and physically abuse him, including rape. According to Pink NGO, whose lawyer represented the victim, while the court failed to recognize the case as a hate crime, and there were discriminatory expressions used by the court during the process, nonetheless this was the first case in which someone was sentenced to time in prison for a crime that targeted an individual for their sexual orientation or gender identity.

In a different case, on March 18, the Yerevan trial court fined a man 70,000 drams ($175) for attacking a transgender woman on the street.

Discrimination: Antidiscrimination laws do not protect persons on the basis of sexual orientation, gender identity or expression, or sex characteristics. There are no hate crime laws or other criminal judicial mechanisms to aid in the prosecution of crimes against members of the LGBTQI+ community. Societal discrimination based on sexual orientation and gender identity negatively affected all aspects of life, including prospects for employment, housing, family relations, and access to education and health care.

The government failed to provide adequate conditions for gay men to serve in the military with dignity. Gay men who served in the military reportedly faced physical and psychological abuse as well as blackmail by both commanding officers and fellow soldiers. Openly gay men who were unwilling to face the abuse could declare their sexual orientation during the drafting process and be exempted from military service following a medical diagnosis of having a mental disorder. This information appears in the individual's personal identification documents and becomes a permanent obstacle to employment or obtaining a driver's license.

Availability of Legal Gender Recognition: In order to legally change one's gender marker, one must submit an application to the government with attachments, including a certificate from a relevant medical institution confirming that gender-affirming surgery took place. There were, however, no medical or government guidelines and regulations governing gender-affirming procedures, meaning that individuals could not legally have these procedures in the country. According to New Generation NGO, which during the year proposed a draft law on legal gender marker change, transgender persons had few options to obtain gender-affirming surgery – either going abroad or convincing medical providers to conduct the procedures in-country despite the absence of medical regulations – and in both cases, postsurgery recovery and care remained difficult.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: Recent data on involuntary or coercive medical or psychological practices targeting LGBTQI+ individuals were unavailable. Research by Pink in 2019 indicated that specialists in related medical fields publicly promoted conversion practices, shared information on conversion cases, and provided information on sexual orientation and gender identity/expression that contradicted international professional regulations and attitudes toward sexual orientation and gender identity and change efforts. According to New Generation, efforts at conversion "therapy" were widespread, especially outside the capital. In such cases, parents often applied to a psychologist or a priest to "correct" the sexual orientation of their children through psychological interventions or prayers.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no state-level restrictions on the freedoms of expression, association, or assembly of LGBTQI+ persons, or on those advocating for issues of concern for LGBTQI+ persons.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. Discrimination against persons with disabilities remained a widespread problem.

The law and a special government decree require both new buildings and those that undergo renovations, including schools, to be accessible to persons with disabilities. Very few buildings, including schools and kindergartens, or other facilities were accessible, even if newly constructed or renovated. Hospitals, residential care, and other facilities for persons with more significant disabilities remained substandard.

Coalition for Inclusive Legal Reforms members continued to express concern regarding the government increasing funding to strengthen and renovate existing institutions for children and persons with mental health disabilities instead of working to ensure that older persons and persons with disabilities were able to live independently in their communities and developing community-based services.

According to the Coalition for Inclusive Legal Reforms, unlike in the previous year, the government decreased the practice of holding regular discussions with NGOs concerning disability rights and various decisions were made without discussions with persons with disabilities and their representative organizations. Periodically, draft decrees appeared on the government's agenda that were not previously put up for public discussion. In August, the government adopted decrees on personal assistance services and reasonable accommodations, stemming from the 2021 law on the protection of the rights of persons with disabilities. According to the disability community and the Coalition for Inclusive Legal Reform, despite the public consultative process initiated by the Ministry of Labor and Social Affairs in the case of these two drafts, the final decrees failed to include the recommendations of the disability community and international best practices.

As of year's end, the government had not responded to a July 2021 statement from

the ombudsperson expressing grave concern regarding the involuntary treatment of patients in psychiatric hospitals. According to the statement, in all cases monitored by the Ombudsperson's Office, there were no legal grounds for initiating involuntary treatment in any of the medical histories of the individuals subjected to treatment. Instead of properly securing informed consent for hospitalization or treatment, the hospital submitted standard applications to the court without proper justification for hospitalization or treatment in each case. Of particular concern, a group of patients who had initially been treated "voluntarily" under unexplained circumstances had all eventually been designated "extremely dangerous to their surroundings," although there were no records to substantiate this finding in their files. According to the ombudsperson, judges did not question submissions for involuntary hospitalization and based their rulings on submissions without substantiated facts.

Although the law on general education provides for a transition from general to inclusive education for children with disabilities by 2025, authorities continued to follow practices that were fragmentary and discriminatory and did not lead to an extensive and sustainable shift in the education system or social norms. Many NGOs continued to report that mainstream schools were not physically accessible for children with disabilities, lacked accessible learning materials, and made limited effort to provide reasonable accommodations for children with disabilities. There were reports of children with special needs facing discrimination by teachers and the parents of the classmates. Children with hearing and visual disabilities continued to be educated in separate institutions, while public schools lacked Braille textbooks, other necessary technical equipment, and relevant specialists. Higher postgraduate and professional education continued to be inaccessible for students with disabilities.

Persons with all types of disabilities continued to experience discrimination in every sphere, including access to health care, social and psychological rehabilitation, education, transportation, communication, employment, social protection, cultural events, and use of the internet. Lack of access to information and communications was a particularly significant problem for persons with sensory disabilities. Women with disabilities faced further discrimination, including in social acceptance and access to health and reproductive care,

employment, and education. In October 2021, the government adopted a decision that excluded persons who do not have the ability to provide self-care from benefiting from a government program allowing orphanage graduates to receive an apartment purchase certificate. NGOs defending the rights of persons with disabilities called the decision, which had not been put up for public discussion, discriminatory, stating it provided a basis for rejecting (or not approving) the applications of persons with disabilities who met all the requirements for obtaining an apartment purchase certificate solely because of their disability.

On July 15, the Ministry of Health published a controversial draft legal act on the new procedure and conditions for the implementation of "voluntary" medical sterilization. The Coalition for Inclusive Legal Reform and the ombudsperson expressed concerns regarding provisions in the decree allowing sterilization of persons recognized by the court as legally incompetent or with limited capacity based on a medical instruction and according to the decision of a court. According to the coalition, persons living in residential institutions would be particularly vulnerable if the decree were adopted, as it would make it possible to apply to the courts to impose forced sterilization on them. As of year's end, the draft had not been adopted.

Inaccessible public buildings often served as polling stations during elections, preventing persons with disabilities from voting. According to the OSCE/ODIHR observation mission to the June 2021 parliamentary elections, approximately 67 percent of polling stations were not accessible for persons with physical disabilities and in 32 percent the layout was not suitable for such voters. The government increased election accessibility for persons with disabilities in advance of the September 2021 local elections. In 2021, 105 polling stations across the country reported accessibility improvements ahead of local elections and 53 polling stations reached partial or full accessibility ahead of their assigned election day. The Central Electoral Commission finalized and launched the polling station accessibility database, ensuring that voters with disabilities had access to up-to-date information.

Other Societal Violence or Discrimination

According to human rights groups, persons regarded as vulnerable to HIV and

AIDS, such as sex workers (including transgender sex workers) and drug users, faced discrimination and violence from society as well as mistreatment by police. According to the Nondiscrimination and Equality Coalition of NGOs, individuals with HIV continued to face barriers in accessing public health care. According to the 2021 report of the Real World Real People NGO, there were multiple cases of refusal to provide medical services (including reproductive health services) to persons with HIV after their health status became known by medical personnel. Individuals with HIV also faced discrimination in health-care institutions in relation to their right to privacy. The disclosure of patients' health status by medical personnel resulted in persons with HIV refusing to seek health care, or to seek medical assistance only in emergency situations. Government regulations on provision of social care to children, elderly, and persons with disabilities lists a person's status as HIV positive as grounds for refusing to provide social care to them. As a result, persons in these categories with HIV and forced into joblessness, homelessness, or poverty could not receive state assistance to ensure an adequate standard of living. Individuals with HIV also faced discrimination by organizations providing social services. Employees of social protection agencies exhibited discriminatory attitudes towards persons with HIV and even refused to provide social assistance set by the law.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of all workers to form and to join independent unions, except for noncivilian personnel of the armed forces and law enforcement agencies. The law also provides for the right to strike, with the same exceptions, and permits collective bargaining. The law mandates seven days' notification and mandatory mediation before a strike as well as the agreement of two-thirds of the workforce obtained in a secret vote. The law stipulates that worker rights may not be restricted due to union membership. The list of justifiable grounds for firing a worker, enumerated in the labor code, does not include union activity.

The government did not effectively protect freedom of association, collective bargaining, or the right to strike. Experts reported that the right to strike, although provided in the constitution, was difficult to realize due to mediation and voting

requirements. Penalties for violations were commensurate with those for other denials of civil rights. With respect to freedom of association and collective bargaining, penalties were rarely applied against violators. Labor organizations remained weak because of employer resistance, high unemployment, and poor economic conditions. With respect to the right to strike, there were no reports of penalties applied against violators.

On June 24, 300 miners (approximately one-third of the workforce) of Chaarat Kapan mining company went on strike demanding higher wages, higher compensation for hazardous work, and health insurance. The company threatened to close the mine and called the action sabotage on the pretext that it fell short of the legal requirements for a strike. The miners returned to work four days later after the company met some of their demands regarding health insurance and working conditions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced and compulsory labor. On October 5, the government adopted a definition of forced and compulsory labor in the labor code. The Health and Labor Inspection Body, the enforcement body for labor law, can identify instances of forced labor and issue fines, but law enforcement agencies are responsible for enforcing forced labor laws. The government did not effectively enforce the law. Prosecutions were not proactive and heavily relied on victim self-identification. The government reported two convictions for forced labor during the year. Resources, inspections, and remediation were inadequate to identify forced labor cases. Forced child labor occurred (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The constitution and the labor code prohibit discrimination based on sex, race, skin color, ethnic or social origin, genetic features, language, religion, political opinion, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances. Other laws and regulations specifically prohibit discrimination in employment and occupation based on gender. The government did not effectively enforce applicable laws, and there were no effective legal mechanisms to implement applicable regulations. Discrimination in employment and occupation occurred based on gender, age, presence of a disability, sexual orientation, HIV or AIDS status, and religion, although there were no statistics on the scale of such discrimination. Penalties for violations were commensurate with other violations of labor rights.

Women generally did not have the same professional opportunities or wages as men, and employers often relegated them to more menial or lower-paying jobs. While providing for the "legal equality" of all parties in a workplace relationship, the labor code does not explicitly require equal pay for equal work. The International Monetary Fund cited the gender pay gap in the country as being strikingly large. A study by Marjan Petreski and the Statistical Committee of Armenia published by UN Women in 2020 estimated the residual gender pay gap (after adjustments for hours worked and personal and job characteristics) at approximately 10 percent, a number that reflected labor-market discrimination and unobservable factors. The top 1 percent of earners additionally faced a gender pay gap of approximately 19 percent. According to the *Country Gender Profile for Armenia* produced within the framework of the EU 4 Gender Equality: Reform Help Desk and published in August 2021, the labor force participation rate was lower for women than men primarily due to women's engagement in unpaid household activities. Overall, 72 percent of men and 48 percent of women between 15 and 74 years of age were employed or seeking employment. There was a large gender gap among employers, of which 86 percent were men and 14 percent women. Although women were well represented in the information and communication technology sector, they were underrepresented in leadership positions and experienced a more pronounced gender pay gap in this sector. Marital status played a role in employment. Divorced women represented the

majority of employed women, whereas married men were the majority among men (see section 6, Women).

Many employers reportedly practiced discrimination, most commonly requiring job applicants to be of a specific gender, age, and appearance. Such discrimination appeared to be widespread, but there were no reliable surveys, and authorities did not take any action to mitigate the problem. While there was little awareness of and no comprehensive reporting to indicate the scale of sexual harassment in the workplace, media reports suggested such abuse was common. Vacancy announcements specifying young and attractive women for various jobs were common. Unemployed workers, particularly women, who were older than 40 had little chance of finding jobs appropriate to their education or skills. LGBTQI+ persons, persons with disabilities, and pregnant women also faced employment discrimination. Religious minorities reportedly also faced discrimination in public employment.

e. Acceptable Conditions of Work

Wage and Hour Laws: The monthly minimum wage was above the poverty income level. The law provides for a 40-hour workweek, 20 days of mandatory paid annual leave, and compensation for overtime and nighttime work. The law prohibits compulsory overtime in excess of four hours on two consecutive days and limits it to 180 hours in a year.

Many employees of private companies, particularly in the service and retail sectors, were unable to obtain paid leave and were required to work more than eight hours a day and over weekends and holidays without additional compensation.

On January 3, the Health and Labor Inspection Body (HLIB) launched administrative proceedings into labor violations at supermarket chains, based on a December 2021 report by the Hetq Mediafactory project. The HLIB ordered supermarkets to correct violations and issued administrative fines. Nonetheless, a June 8 Asparez Journalists' Club report revealed numerous complaints from employees in this sector concerning long hours on their feet without breaks. Workers were unlikely to take legal action over violations, due to the tight labor

market.

On February 14, Public TV reported on a 2021 survey by Prisma of 550 workers across the country, which revealed that 22 percent of respondents did not have a contract, especially among those in construction, agriculture, hospitality, and wholesale and retail trade services. The absence of a contract was more widespread among the youngest (17 to 25) and the oldest (66 to 75) respondents, as well as among those with a low level of education.

On February 17, the NGO Advanced Public Research Group published *The Situation of Labor Rights Protection in Armenia,* based on 1,062 interviews with employees across the country. The report revealed problems related to a lack of contracts, excessive overtime, and uncompensated overnight and holiday work, as well as workplace issues related to workers' health, discrimination, and work by minors. According to the research, less than half of respondents knew how or when they were eligible to take paid annual leave, and 85.7 percent of respondents did not have experience uniting to advocate for their rights with their employer, despite the fact that 28 percent were members of trade unions.

On March 30, the Media Initiatives Center published a report titled *Problems of Labor Relations in the Media Sphere*, which revealed low labor rights protections for media workers. A survey of approximately 100 journalists found that while the vast majority were aware of labor rights provisions of their contracts, such provisions did not help them address violations such as nonpayment for overtime or inability to take vacation. The research also revealed that employers often did not sign employment contracts, especially with recent graduates, who were at times subject to unpaid probation for three or more months.

Occupational Safety and Health: The government established occupational safety and health (OSH) standards by decree, although safety and health conditions remained substandard in numerous sectors. For example, in the agricultural sector heat and the use of pesticides were unaddressed. According to official information, there were 10 reports of lethal workplace accidents during the year. The accidents occurred in the fields of mining, construction, and manufacturing. On August 14, an explosion in a fireworks warehouse killed 17 persons in the Surmalu shopping center, including workers, shop owners, and customers. Due to high

unemployment in the country, workers generally did not remove themselves from situations that endangered their health or safety and were unlikely to report violations of their rights. The HLIB and the employer were responsible for identifying unsafe situations in the workplace.

On June 1, Fact Investigation Platform published a report on the dust pollution caused by the operations of the Zangezur Copper and Molybdenum Combine, one of the country's largest employers and taxpayers. The report also discussed substandard working conditions in the factory and the adverse effects of dust on the health of mine employees and nearby residents. According to the report, the factory did not observe local safety and sanitary norms, and employees did not wear protective helmets or air filtering masks.

Wage, Hour, and OSH Enforcement: The HLIB was responsible for the enforcement of wage and work hour laws. On March 10, the government approved a unified checklist for inspecting compliance with labor laws under the July 2021 labor code and granted greater authority to the HLIB to oversee compliance. The number of labor inspectors was sufficient to enforce compliance, according to International Labor Organization standards. The inspectors could not make unannounced inspections but could initiate sanctions. Authorities did not effectively enforce labor standards in either the formal or informal sectors. Penalties for violations of wage and hour laws were commensurate with those for similar crimes. Penalties were regularly applied against violators.

Few employees applied to the courts to uphold their rights due to legal costs, the complexity of the application process, and distrust of the judiciary. It was also unclear if the overloaded courts were able to meet a legal requirement to resolve labor disputes within three months.

Informal Sector: According to a joint study by the French Development Agency and the country's State Revenue Committee published in April, informal employment, excluding the agricultural sector, stood at 15 percent of total employment. Managers of enterprises that were the primary employers in certain poor geographic areas frequently took advantage of the absence of alternative jobs and did not provide adequate pay or address job safety and environmental concerns. A 2019 World Bank report found that approximately 13 percent of the

country's wage employees did not have a written contract and did not have access to any form of benefits related to paid leave, child care, or sick leave. Informal-sector workers were covered by wage, hour, and occupational safety and health laws; however, they were not covered by inspections. The agricultural orientation of the country's economy tended to drive informal employment.

On January 18, parliament adopted legislation requiring a gradual shift to noncash salary payments throughout the country. The requirement entered into force in Yerevan on July 1; it was scheduled to apply to regional administrative centers beginning in July 2023 and in all other areas beginning in July 2024. There were anecdotal reports of employers decreasing net salaries because after the change, they had to declare the full salaries and pay taxes, and small businesses complained of high service fees charged by banks to process noncash payments.